

THIRTIETH CONGRESS.

FIRST SESSION.

IN SENATE.

SATURDAY, AUGUST 12, 1848.

Mr. BELL, from the Committee on Indian Affairs, reported a resolution for the relief of the officers employed by the Choctaw reserves under the treaty of Dancing Rabbit Creek, concluded the 15th of September, 1830; which was read and passed to a second reading.

Mr. BENTON submitted the following joint resolution of thanks to Col. Doniphan, his officers, and men:

Resolved, That the thanks of Congress be and are hereby presented to Col. Doniphan, his officers and men, for the brilliant and successful conduct of the military expedition to Chihuahua, and thence to Gen. Taylor's army; and that the President of the United States be requested to cause to be made a sword of the value of \$500, with suitable inscriptions, to commemorate the honor of said victory and expedition.

Mr. BENTON also offered the following joint resolution, which was read and passed to a second reading:

Resolved, That the thanks of Congress be presented to Brigadier Gen. Price, his officers and men, for the brilliant victory achieved by them at St. Cruz, in the State of Chihuahua, over a superior Mexican force; and that the President of the United States be requested to cause a sword of the value of \$500, with suitable inscriptions, to be made and presented to Gen. Price, in honor and commemoration of said victory.

THE OREGON BILL.

The bill to establish a Territorial Government in Oregon, as amended by the House of Representatives, was then taken up.

The amendments having been read—

Mr. DOUGLASS moved the appointment of a committee of conference.

Mr. KING said the proper motion was to insist, and then to ask for a committee of conference.

Mr. BENTON moved the appointment of a committee of conference.

Mr. DAYTON suggested that the motion to recede was first in order, because, if it succeeded, it would prevent any committee of conference.

Mr. MASON moved to lay the bill and amendments on the table, and asked for the yeas and nays; which were ordered.

The question was then taken and decided as follows: YEAS—Messrs. Berrien, Butler, Calhoun, Davis, of Mississippi, Downs, Foote, Hunter, Johnson, of Maryland, Johnson, of Louisiana, King, Mason, Rusk, Sebastian, Turley, Westcott, Pearce, Rusk, Turner, Westcott, and Yulee—23. NAYS—Messrs. Allen, Atherton, Baldwin, Bell, Benton, Bradbury, Breese, Bright, Clarke, Corwin, Davis, of Massachusetts, Dayton, Dickinson, Dix, Dodge, Douglas, Felch, Fitzgerald, Greene, Hale, Hamilton, Houston, Metcalf, Miller, Niles, Spruance, Sturgeon, Underwood, Upham, Walker, and Webster—32.

Mr. BENTON renewed his motion to recede. This question had been a long time before the Senate. He had patiently waited until the question was brought before the Senate. From the first he had been opposed to conceding Oregon to California. He wished to see Oregon go through by herself. When the subject was referred to a select committee of eight, a bill had been brought in constructed for the purpose of conciliating different feelings. He had not approved of that bill, but he had always deferred to the majority. He had hoped its progress would be retarded by a single word. He gave his vote for it, while he disapproved of it at the same time. Then there came up the adjustment on the parallel line of 36° 30'. He was extremely reluctant to go for that measure. Oregon was 400 miles distant from the nearest, and nearly 1,000 miles from the remotest point of the United States; and there was no rule which applied equally to both. He had voted for that bill in order to put the matter to rest, and to avoid similar questions. He had given his vote for the Oregon bill. That bill had been sent to the House, and had been returned from the House with the Missouri compromise stricken out. He thought he had now done enough to secure conciliation and compromise. He had done enough when he consented to attach California to Oregon. Oregon was now in a deplorable condition. A few years ago we were ready to fight all the world to get possession of her; and now we are as willing to throw her away as we were then to risk everything for her possession. She is left without a government, without laws, while at this moment she is engaged in a war with the Indians. There were 12,000 or 15,000 persons settled there who had claims on our protection. She was 3,000 miles from the metropolitan city of Government, and she was as far from the seat of government as she was from the seat of the world. He held it to be our bounden duty to provide a government for Oregon; and he would not, so far as he was able, permit the bill to establish that government, by putting a weight of extraneous matter on it, to sink it down. Florida had been permitted to come into the Union notwithstanding the slavery question.

Mr. YULEE said there was a warm and long opposition to it.

Mr. BENTON. Florida was permitted to come in at once.

Mr. WESTCOTT. Florida was an applicant year after year—from 1839 to 1845—before she was admitted.

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Mr. CALHOUN expressed his apprehension that there was a fixed majority in the Senate and in the House opposed to any further trial at conciliation. Still he hoped the Senate would preserve a correct position, and vote for the appointment of a committee of conference. He might say, without self-flattery, that he was one of the foremost in this regard. Let those who opposed the views of the South lay their hands before the country and defend it as they could. The great strife between the North and the South is ended. The North is determined to exclude the property of the slaveholder, and, of course, the slaveholder himself, from its territory. On this point there seems to be no division in the North. The South, he regretted to say, does not seem to be so united. The effect of this determination of the North was to convert all the Southern population into slaves; and he would

never consent to entail that disgrace on his posterity. He denounced any Southern man who would not take the same course. Gentlemen were greatly mistaken if they supposed the Presidential question in the South would override this more important one. The separation of the North and the South is completed. The South has now a most solemn obligation to perform—to herself—to the constitution—to the Union. She is bound to make a decision to support the principles which she has adopted, and to abide by it. She is to go on no further, but to show that, dearly as she prizes the Union, there are questions which she regards as of greater importance than the Union. She is bound to fulfill her obligations as she may best understand them. This is not a question of territorial government, but a question involving the continuance of the Union. Perhaps it was better that this question should come to an end, in order that some new point should be taken.

He had given what he deemed a clear, constitutional vote on the compromise bill. He had also voted for the introduction of the Missouri compromise into this bill, although he could not constitutionally vote for the bill, which he regarded as artificial. Gentlemen may do with this bill as they please. If they will not give more than the South can afford, a compromise, she will, at the next session, demand all, and will not be satisfied with any thing less.

Mr. BELL said he was a Southern Senator, and deeply involved in Southern interests; but he must have greatly mistaken his true course if the arguments to which he had listened were correct. There were wiser heads than his; but he believed that the Senator from Missouri would do him the honor to give him the benefit of his own judgment. He believed that the Senator from North Carolina, and those who concurred with him, had placed the South in a wrong position, when they assumed that, by the decision of this question, the die would be cast, and the issue must now be made which involves the dissolution of the Union. He contended that this issue was prematurely made when it was made on the Oregon bill. If we are to quarrel with the North, let us be sure that in all respects our ground of dispute is tenable for us. The vote of the House has been cited here as evidence that this issue could not have been avoided. He came to no such conclusion. He knew and felt the influence of too many sympathies with the North. Until a vote of Congress should be taken on the subject of the Southern territories, actually in question, he never would vote for such a bill. As to this question, he had voted as he felt. He was laying this bill on the table, and against its postponement, because he desired to give his Southern friends an opportunity of having a committee of conference, from which he expected nothing favorable.

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The CHAIR decided that that motion would carry the bill with it.

Mr. TURNER withdrew the motion.

Mr. BUTLER said that he had voted for laying the bill on the table, because of the declaration of the Senator from Missouri, that the reference to a committee of conference would be a trial of strength between the North and the South. He would better to leave Oregon without a government for the present, than pass the bill in such a shape as would provoke the consequences which must follow. He thought the views of the Senator from Tennessee (Mr. BELL) were not correct, and it appeared very unlikely that any issue could be produced. He contended that the Senator from Missouri, the history of the great men of Massachusetts, in the struggle of the crisis, would rise up and rebuke those who were so fastidious about an issue. He put a number of questions to ascertain what issue would suit the Senator. He complimented that Senator for the qualities of heart which he had exhibited when he spoke of his sympathies for the North. But he thought that the Senator from Missouri, who had been so long in the saddle of the Oregon question, would not surrender of the Oregon question.

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Mr. CALHOUN expressed his apprehension that there was a fixed majority in the Senate and in the House opposed to any further trial at conciliation. Still he hoped the Senate would preserve a correct position, and vote for the appointment of a committee of conference. He might say, without self-flattery, that he was one of the foremost in this regard. Let those who opposed the views of the South lay their hands before the country and defend it as they could. The great strife between the North and the South is ended. The North is determined to exclude the property of the slaveholder, and, of course, the slaveholder himself, from its territory. On this point there seems to be no division in the North. The South, he regretted to say, does not seem to be so united. The effect of this determination of the North was to convert all the Southern population into slaves; and he would

never consent to entail that disgrace on his posterity. He denounced any Southern man who would not take the same course. Gentlemen were greatly mistaken if they supposed the Presidential question in the South would override this more important one. The separation of the North and the South is completed. The South has now a most solemn obligation to perform—to herself—to the constitution—to the Union. She is bound to make a decision to support the principles which she has adopted, and to abide by it. She is to go on no further, but to show that, dearly as she prizes the Union, there are questions which she regards as of greater importance than the Union. She is bound to fulfill her obligations as she may best understand them. This is not a question of territorial government, but a question involving the continuance of the Union. Perhaps it was better that this question should come to an end, in order that some new point should be taken.

He had given what he deemed a clear, constitutional vote on the compromise bill. He had also voted for the introduction of the Missouri compromise into this bill, although he could not constitutionally vote for the bill, which he regarded as artificial. Gentlemen may do with this bill as they please. If they will not give more than the South can afford, a compromise, she will, at the next session, demand all, and will not be satisfied with any thing less.

Mr. BELL said he was a Southern Senator, and deeply involved in Southern interests; but he must have greatly mistaken his true course if the arguments to which he had listened were correct. There were wiser heads than his; but he believed that the Senator from Missouri would do him the honor to give him the benefit of his own judgment. He believed that the Senator from North Carolina, and those who concurred with him, had placed the South in a wrong position, when they assumed that, by the decision of this question, the die would be cast, and the issue must now be made which involves the dissolution of the Union. He contended that this issue was prematurely made when it was made on the Oregon bill. If we are to quarrel with the North, let us be sure that in all respects our ground of dispute is tenable for us. The vote of the House has been cited here as evidence that this issue could not have been avoided. He came to no such conclusion. He knew and felt the influence of too many sympathies with the North. Until a vote of Congress should be taken on the subject of the Southern territories, actually in question, he never would vote for such a bill. As to this question, he had voted as he felt. He was laying this bill on the table, and against its postponement, because he desired to give his Southern friends an opportunity of having a committee of conference, from which he expected nothing favorable.

Mr. WESTCOTT and Mr. DOWNS explained their votes on the question to lay the subject on the table.

Mr. BELL resumed. He would vote against receding, and would then vote to insist, although he did not expect any good from a conference. He desired to see the Oregon bill passed, even without this restriction; and he could not use it as a means of attack on gentlemen. Whether he could vote for it himself, he never could say. He would vote for it if the friends with whom he was associated. He contended the doctrine that even if the whole country, north and south, was opposed to slavery, Congress had no power to legislate on the subject. He thought the Missouri compromise had settled that point. He repeated, in conclusion, his conviction that the making up of the issue at this time was premature. He would vote for the Territories of California and New Mexico should come up, it would be time enough to tender the issue.

Mr. TURNER thought the whole question was involved in the question now under consideration. It was alleged by the Senator from Missouri that if this bill should be rejected, it might become the duty of the President to convene Congress to take up the question of annexation for Oregon. If so, why had three years been permitted to pass, while the government being provided for Oregon? He did not regard the claims of Oregon as greater than those of California and New Mexico. The question had become a sectional one, and productive of angry discussion. He desired to know why, in reference to this bill, the usual parliamentary course of action should be departed from. We would not depart from it on no other bill had there been this departure from ordinary course. He could see no reason for the change. Deny this committee of conference, and all hope of providing a government for Oregon is lost, and every opportunity of conciliating the opposing sections of the country will have passed away. He hoped this spirit of conciliation would not be abandoned until effort was exhausted in a committee of conference. He contended that the Missouri compromise was a barrier on the course he had taken, almost alone, in throwing himself into the breach, to preserve his party and the Union. He hoped the committee would be allowed. When had such a committee failed to agree? When had any bill been lost which had been referred to a committee of conference? To test the sense of the Senate, he would move to lay the motion on the table, and to suspend the ordinary course.

The CHAIR decided that that motion would carry the bill with it.

Mr. TURNER withdrew the motion.

Mr. BUTLER said that he had voted for laying the bill on the table, because of the declaration of the Senator from Missouri, that the reference to a committee of conference would be a trial of strength between the North and the South. He would better to leave Oregon without a government for the present, than pass the bill in such a shape as would provoke the consequences which must follow. He thought the views of the Senator from Tennessee (Mr. BELL) were not correct, and it appeared very unlikely that any issue could be produced. He contended that the Senator from Missouri, the history of the great men of Massachusetts, in the struggle of the crisis, would rise up and rebuke those who were so fastidious about an issue. He put a number of questions to ascertain what issue would suit the Senator. He complimented that Senator for the qualities of heart which he had exhibited when he spoke of his sympathies for the North. But he thought that the Senator from Missouri, who had been so long in the saddle of the Oregon question, would not surrender of the Oregon question.

Mr. YULEE said there was a warm and long opposition to it.

Mr. BENTON. Florida was permitted to come in at once.

Mr. WESTCOTT. Florida was an applicant year after year—from 1839 to 1845—before she was admitted.

Mr. BENTON. Florida went through as a State. Not a single vote was given against the formation of her State Government.

Mr. YULEE. There was long discussion and a strong vote against it.

Mr. BENTON. She passed through as a State. The members from the non-slaveholding States could have stopped her if they had chosen, but they let her pass. Texas had also been admitted. And why was Oregon to be arrested in her application? If Congress should adjourn without establishing a Government there, it would be a disgrace to the President whether his duty would not require of him to convene Congress before the usual period. Mr. B. concluded with re-urging Congress to act on the bill now.

The CHAIR announced its decision that the motion to recede takes precedence of the motion to insist and to ask for a committee of conference.

Mr. BERRIEN moved an appeal in question the decision of the Chair. He made an appeal to the Senate to let the Senators opportunity for conciliation pass away. He hoped the motion to recede would not prevail. The question involved the interests of the people of Oregon; and, more than that, the harmony of the people of the United States. If this measure should not prevail, it will be taken as evidence that the Government